Mark and Dave Hickok 1-13-98

Interviewer: Liz Williams

Tape 1

The conversation begins with the interviewer introducing herself and Mark and Dave telling about past interviews and interviewers...

Mark: Bob Cahn was a Pulitzer Prize winner...as well as a number of other people, and his little pamphlet might be of interest to you...but I can't find them.

Dave: I know where they are, I'll get them. Anyway, we had some unique aspects of...both ANCSA and ANILCA which we can get into as you go along. If you are going to do this in any orderly way about one of us or the other of us or both, whatever way you want to do it, we need to know that because if you are looking for what these fellows want, then it would be possibly desirable to go over the Fish and Wildlife experience as a preamble to other things.

Liz: That sounds good. However it is best for you, if you have told the story before...

Dave: And also I gather they are looking for, I would hesitate to say, "pearls of wisdom?"

Mark: (laughing) Forget it!

Dave: God knows they need some but they probably won't get any here.

Liz: Should there be a charge for those?

Dave: Pearls are costly you know. But I think basically from the point of this paper from Fish and Wildlife, we should start with the Fish and Wildlife stuff, don't you?

Mark: Yes, but I don't understand what they want, they don't say what they want.

stop tape, Liz gives a more detailed explanation

Liz: I think they are looking kind of for that...and I know you don't want to divulge every feeling you have ever had about what happened...

Mark: Oh, we can't even remember...it was too long ago.

Liz: I know, not even yesterday.

Dave: I do have my cartoon book to be fired by...anyway that's another story. All right, I'll start talking a little bit.

Liz: Ok.

Dave: I...started out as a young man with only one aspiration, that was to go to Annapolis and when I was 16 I broke my back and that ended aspirations of Annapolis.

So I had always been interested in the outdoors and so on and so I went off to forestry school, New York State College of Forestry...

Mark: At Syracuse...

Dave: At Syracuse University.

Rattled around the country from the age, I was 14, to college and I've been across the country hitchhiking maybe half a dozen times or 7 or 8 times and worked on farms and ranches and everything, just about all over the country.

You have to understand that before World War II, the country was only half the population it is now and that it was much more a rural nation. Hell, even in the cities the bread man and the ice man and the milk man all had horse and wagons in the 1930's. It was different.

Anyway I had this background of farms and ranches and went off to New York State College of Forestry, graduated in January of 1947, the war was just over a couple of years. Of course, I didn't serve in the military because I had a broken back. Anyway, I went around the country working on more farms and ranches, fishing boats in Florida, and collected small animals and so on. In 1948, I went to work for the New York State Conservation Department as a Game Research Investigator and basically, that work was mainly habitat development, planting trees, and multiflora roses and things of that kind all over the countryside. That was the thing of the forties.

In 1950, I went to the Fish and Wildlife Service and worked for Refuges at Missisquoi National Wildlife Refuge in Vermont. From there I went to Bombay Hook in Delaware, from there to Moosehorn in Maine, and from there to Washington D.C. as Assistant Chief of Resources. Stayed there in Resources for a while and did a few things that were relative to Alaska. One was I wrote the Executive Public Land Order for the Arctic National Wildlife Refuge. In addition to that, I came up here in 1960; Dave Spencer was the regional supervisor. Myself and another fellow were responsible for the recommendations that led to the Washington office approval of expanding the refuge road system on the Kenai and also authorized the gas pipeline. There had been quite a dispute between Hakala who was the refuge manager at the time and Spencer on one side and the oil industry on the other. The fellow I came with, Gene Crawford, and myself, our job was to see if there was a way of settling things. So we approved the gas pipeline which was the first gas into Anchorage. It was a very important development for the state and the people.

It also led to making the Kenai Anchorage's playground and that was inevitable and whether it was good or bad depends on your point of view. But it was inevitable one way or the other so it was done.

Mark: Let me tell you about how we had our fuel, hang on to your thoughts. Before the gas, we used oil which burns a lot dirtier and the snow in Anchorage in winter was pretty dingy from the fumes of it, of the oil we were all burning. And inside, the houses were dirty from the fumes of the gas. And I am a conservationist of some depth and I had a hard time myself with which was right: leave the refuge alone or clean up the air. And when gas came in then they laid the gas lines and everybody went on to gas with a very few exceptions; the man across the street still uses oil.

Liz: Is his yard dirty?

Dave: There's a few people around town who still use oil.

Mark: That was rather important, it did divide the state. See, we were brand new, '59 was when we became a state.

Liz: That was a hard choice, where was that oil coming from?

Mark: Shipped in.

Dave: Yes, it was shipped in. There was some oil, of course, that had started on the Kenai about '58 but that oil was shipped out to get refined and other oil came back in.

Mark: They brought it in big tankers, then there was the tanker problem.

Dave: In addition to the public land orders on the Arctic Game Range, there was also those on the Yukon Flats on what was then called the Clarence Rhode Refuge which was in the Yukon Kuskokwim Delta.

I was quite involved also in '59 and '60...the Fish and Wildlife Service did not give over jurisdiction to the State of Alaska for wildlife management until into '59 I think and as that happened there was a lot of property that had to be transferred to Alaska Fish and Game. There was a provision in the Alaska Statehood Act that allowed the government to hold on to things. I got quite involved with the aircraft and approving the transfers of aircraft between the federal government and the state and things of that kind.

Statehood also brought with it the political question, I'm going to back track a little bit, of the Arctic National Wildlife Range which is now the Arctic National Wildlife Refuge, it was then called the Arctic National Wildlife Range. That is an interesting story because that executive order or public land order, I keep saying executive order--public land order was written in December of 1960 and it had a lot of baggage attached to it. The truth of the matter was, that

the national conservation groups had held the vote on statehood hostage through their lobbying and through their contacts in Congress until Senator Gruening and Senator Bartlett agreed that there could be a national wildlife range up there in the corner of Alaska--because they were adamantly opposed to a park. When that was written, it had come about that the National Park Service wanted to have that area as a national park. And Gruening and Bartlett would not agree to that and so the compromise was as a--unit of the National Wildlife Refuge System. That is how I got into it, writing the order. When I wrote that order, I did it basically on information sent by Dave Spencer with a couple of exceptions on oil and gas matters and other things.

But, the big ingredient that was not discussed in the Department of the Interior was the Native situation at Kaktovik. I did not learn until years later, then I became quite familiar with the people of Kaktovik, but I didn't learn until years later what kind of horrors the DEW line people had put the village of Kaktovik through. They had the original village on Barter Island and the DEW line people had come in and bulldozed it down and said move because they wanted to put the DEW line station there. And so they moved and then they decided to expand the station and they bulldozed it down again. So for quite a long time, the village, in its third location, was built out of the packing boxes and scraps of the DEW line situation. And it was not a very good scene and if I had known *that* when I wrote that public land order, I would have had something more to say about that... I didn't know. Anyway, it might not have been approved upstairs anyway so who knows.

Anyway to go on a little bit, I was in the Fish and Wildlife Service then as, shortly thereafter as Chief of Operations. During that period did a number of things that are to this day somewhat debatable. I was the one that put the Service in uniform and I know there is something in the manual, somebody wrote that up some years ago. A lot of people aren't very happy with that. But I felt the damn service shouldn't look like a bunch of mechanics everywhere all the time...anyway, or a bunch of bums!

In addition to that, I started the branch of planning as an, initially as a function of operations and then it split off and I just took planning under my purview and let operations go to someone else.

tape break (more background on Dave and the Fish and Wildlife Service)

I had really loved working on refuges and I was very good at it, as a refuge manager. I went to Washington with five other fellows. We were the first individuals that came in from the field in the Fish and Wildlife Service to the Washington Office since *1937* and this was 1959. And we said "Hey man, the Dust Bowl is over!" There was much more in this world than just *ducks*!

Mark: (laughs)

Dave: And nobody listened to us. Oh my God the Fish and Wildlife Service was up to uh...duck shit all the time! And nothing else, no concept about anything else.

Mark: And here I want to put something in because I probably will forget it later. When the effort was being made to create new refuges in the 1970's by the conservation community, our proposed refuges had walrus and seals, whales, I mean there were all kinds of things...moose, caribou, wolverine. They [the Fish and Wildlife Service administration] would not even look at the lines...we had to go...

Dave: Lines on the map you mean.

Mark: They would not even discuss it, one of them ordered me out of his office here. I went to Washington D.C. and talked to the Secretary of the Interior and he told Fish and Wildlife, "You will take those refuges. You take everyone that can be gotten."

Dave: A lot of the ANILCA recommendations were opposed by the local Fish and Wildlife Service.

Mark: And the Park Service.

Dave: And the Park Service for that matter.

Dave and Mark: But that's a whole other story.

Mark: And that's not necessarily important but I just wanted it to be said that Fish and Wildlife was not interested in anything where they couldn't count, if you will pardon me, duck asses!

Dave: (laughing) They were pretty parochial. This in part led me into troubles in the Washington Office, this attitude of just waterfowl in the 1960's. And I was quite involved with the Rampart Dam project up here, in Washington, I was asked if I wanted to come to Alaska at that time with the Rampart Project but I declined and a fellow named John VanDeNacker in Portland came up here for a while and worked with Chuck Evans.

Mark: Are those names on your list?

Liz: Let me show you the ones that are, I am only doing just a small...

Dave: Anyway those two men ought to be on somebody's list.

Liz: Ok.

Mark: (looking at my list) Gordie Watson I fought tooth and claw.

Dave: Gordie Watson's the one who opposed any broadening of Fish and Wildlife's mandate in Alaska.

Mark: Yep.

Liz: What was their justification?

Mark: Let's whisper when we talk about it.

Liz: Do you want me to turn it off?

Mark: No, I'm being them, everything that went on was a secret...whisper...

Dave: Anyway, back on the ranch, I tried to make my escape from Washington to the Charlie Russell National Wildlife Refuge, which was then the Fort Peck Game Range in Montana. I went out there and I was responsible for renaming it from Fort Peck Game Range in honor of Charlie Russell, the great western artist who painted all in that country and the Missouri Breaks.

Mark: And you still have the original brochure that went out, the first color brochure on a National Wildlife Refuge.

Dave: That's a little story. This was the first color brochure ever put out by the Department of the Interior on a planning document and here's how it happened: I wrote this thing and went out to Portland, Oregon where Bonneville Power Authority had printing for the whole region. I got there, I said, "Lets put this thing in color." And the guy said, "Well, it's illegal you know." And I said, "I'll take care of it." So I went back to Washington and there were orders that you couldn't have any color documents without approval of the Congressional Printing Committee, whatever the hell it was. I had decided that I would just go ask the head senators and I did. So I went up and saw, it was Senator Anderson from New Mexico, it'll come back to me, I can't, anyway, and he said, "Sure son, great, go ahead, and naming it after Charlie Russell, that's wonderful." Anyway, the director at that time, Dan Jansen, was in Spain, so we put some sample copies out and I sent a copy to Stuart Udall and one to Jackie Kennedy. Jackie Kennedy got on the phone to Stuart Udall and said "This is wonderful, beautiful, lets do it!" And Udall said, "Do it."

Anyway, Fish and Wildlife Service and I had several of those kinds of end runs that didn't make me too popular.

Mark: (laughs)

Dave: When I could escape from being a minor chief to go out to Montana, I forgot a salient rule, if I ever knew it, and that was, you can't go home and also you can't become a subordinate to those that you used to make decisions about. A regional supervisor in Portland who really climbed all over me.

Dave: So I went back to Washington in Operations again and I was fortunate in getting a fellowship to work in the Congress. I got the Interior Fellowship to work in Congress and I

worked in Congress for Senator Ed Muskie and Representative Al Ullman and...

Mark: The first...

Dave: It was actually the first Interior Fellowship that was ever offered and there are more stories about that but I don't think it's the time to go into it.

Mark: (laughs) He learned and learned in that job.

Dave: After the fellowship, I wrote a history of U.S. oceanography for the Library of Congress and became the Secretary of the Cabinet, the Johnson Cabinet, for the recovery from the Alaska earthquake... bringing us back to Alaska. In that context, I served, just generally, as a liaison between a fellow named Joe FitzGerald who was the chairman of the Federal Field Committee here in Alaska and the Cabinet...

Mark: But you forgot...

Dave: Well, I forgot a few other things. To backtrack, I also wrote a bill for Senator Muskie that became the precursor of NOAA as an agency. It was a bill that was picked up by PSAC, that was the President's Science Advisory Council and became a part of what was called the Stratton Report and ultimately became NOAA, it was a bill calling for a Department of Marine Affairs. This led to the writing task for the Library of Congress. That was another aspect of that whole business.

All of this gets rather convoluted sometimes particularly as your memory goes along. Maybe it is time to pause here and see if you have any questions.

Logistic talk, tape adjustments, Liz asks Dave, how did you get interested in Fish and Wildlife?

Dave: The Stefansson contact was very important to me. I had, as a young kid, read just about everything that he had written about the Arctic and although I was headed to Annapolis in my dreams, I had read all about Stefansson whether it was in the Arctic or in Africa or different places. In 1948, I went to a wildlife conference in Washington D.C. I was working for the New York State Conservation Department and went down there and he gave a talk on the *Ovibos* which is another name for the muskox and the eland which was an African antelope type animal and he was discussing the domestication of these species. I was very intrigued by it and I said hi to him afterwards. He said, "Hey, c'mon lets go have a cup of coffee." We had a cup of coffee that lasted about two hours and it was a wonderful experience. And so, I was always, all through my career in the Fish and Wildlife Service, trying to come to Alaska. But there were not any opportunities until the Rampart Dam thing, but I turned that down because the Montana-Charlie Russell thing I had started and I couldn't leave it in the middle. All of this had a bearing on me getting appointed to be the Cabinet Secretary for Alaska after the earthquake. Now, the earthquake had destroyed all the infrastructure here in Anchorage, I mean all the roads and bridges, everything else. Rapidly, in about a year, the infrastructure was put back together,

primarily under the directorship of a fellow named Dwight Ink who was appointed by Johnson as the coordinator in Washington and Joe FitzGerald who was the Chairman of the Federal Field Committee here in Alaska. All the federal agencies were made into a committee and Joe was the chairman by presidential appointment.

Mark: He reported to the president.

Dave: He reported to the president, he and Dwight Ink both-- reported to the Cabinet, not to the president, and the Cabinet then reported to the president so I was put in this position as kind of the Secretariat to the Cabinet, it was very interesting. I evidently did a pretty good job at it and then was asked by FitzGerald to come to Alaska as the Natural Resource Officer for the Federal Field Committee which was charged with planning the future economic development of Alaska. This was in 1965-'66.

Mark: The reason for that was that the earthquake was so terrible, it destroyed all the economic base. This was the biggest earthquake in history. They've gotten it up to a 9.2 minimum.

Dave: 9.2 on the Richter scale and Mark went through it, I was not here.

Mark: It destroyed all the bridges, so transportation was stopped, the roads had also been badly damaged in some places, whole sections of the roads went down the canyons--you couldn't drive to Seward, it was difficult to get to Palmer, it was hard to get up to the mountainside.

Dave: You couldn't get to Girdwood or anything like that, all those bridges were out.

Mark: And there were crevasses in the roads, some of them where they took out chunks of earth and some just so wide you just couldn't get a car safely along.

Dave: Well, right here in town.

Mark: There was nothing, the state had to have some help. We were too new, we had nothing.

Dave: There was a fellow named Gene Foley who was Assistant Secretary of Commerce, in charge also of the Economic Development Administration, the EDA, yes. He basically was charged by the President and by Dwight Ink to throw away the rule book up here and he did. He gave small business loans, residential loans.

Mark: At 3% interest!

Dave: 3 %. Basically, in about a year most of the job was done.

switch tapes: ...Mark: Anchorage was quickly repaired...

Mark: It was amazing!

Dave: On the physical side and also on the initial economic impact, but the long range economic impact was quite...doubtful. In '58, [Maybe '57?] I got that date right? Swanson River came in?

Mark: Yes.

Dave: '58, they had discovered oil on the Kenai but oil and gas of the Kenai had affected the Anchorage area but it was not really of any great significance to the whole state of Alaska, yet. It was the beginning...

Mark: It was a small field comparatively.

Dave: And it was the beginning of some economic solvency for the State of Alaska. State of Alaska had an income tax and a school tax, $10 a year.

Mark: There was no population!

Dave: No population and no real revenues coming in, so oil made a big difference. Kenai made a substantial difference at first and of course everybody wanted more oil, more oil, and set out to get it. By 1960, there were several companies quite active in the Arctic which, by the way, had its origin also way back in the '20s with early explorers finding oil seeps. Stefansson and primarily Leffingwell made those discoveries.

Liz: I was reading in a history book that Natives had even pointed out the oil seeps to some of these people.

Dave: That's right. Right now they're all involved with this big argument up around Teshekpuk Lake.

Mark: Which was the Naval Petroleum Reserve #4...

Dave: Now it is the National Petroleum Reserve-Alaska and they want to lease it. That was where some of the early finds of Leffingwell took place, for example, Simpson Lagoon.

Mark: You understand, this is near where Natives live, along the Colville Delta.

Dave: So anyway, the oil industry moved up there and here in Washington where I was sitting and then was asked to come to Alaska as the Natural Resource Officer, the question was: What can really be done for the State of Alaska or in the State of Alaska for some economic progress?

Mark: And stability.

Dave: There were at the time, two main routes of thought: one was Jeffersonian in terms of land: go take some land and develop it up here in the Nome area particularly with gold and minerals and things like that. The other was rather Hamiltonian in that saying economic establishment was involved with banks, service industry and so on and do it here in Anchorage. Two different philosophies were at war with each other in a sense and ironically both of them won in different ways than everyone thought at the time. The development of the land did not come around Nome and the western Brooks Range for hard minerals, it came at Prudhoe Bay for oil and so on and the development of the service industry just gradually grew and grew and grew, a kind of stalactite on the house of man here I think.

Mark: And were now really pushing the Natives...who owned nothing.

Dave: The next question for the Federal Field Committee was...boy this goes back, I gotta stop for a few minutes.

Break, but we start to talk during

Mark: NPR-A, the conservationists were pushing for a big wilderness there when all this was going on. The oil discoveries in the Arctic were in trouble because the Natives owned no land--like we do--but they owned the land in a different sense--and how do you do justice in a case like that when money is at stake?

Liz: Lots of it.

Dave: There's a framework and I think we ought to back up and put a framework on this thing, it gets pretty diffuse particularly with all these little stories and in terms of the Fish and Wildlife Service...(tape break)...get away from all these details and put a framework around this thing. In terms of the Fish and Wildlife Service and particularly refuges there is a dichotomy of situations here. One is the track that statehood caused and as it led all the way up through a number of additions to the wildlife refuges and to, finally to the Native Land Claims Act and then ANILCA; that's one track. The other track is the history of the Fish and Wildlife Service nationally, which was really involved at the time of Alaska statehood in ducks only! No endangered species, no big game, no nothing! Except *ducks* in terms of policy activity...ducks and geese and a swan was ok once in a while. Anyway, there was a couple of endangered species, oh I'm getting into details again, the whooping crane and the trumpeter swan but nevertheless the emphasis was on waterfowl and the change between 1959-60 to today is a great broadening of concern for the whole biota of the United States rather than just waterfowl. This involved a number of changes in state relationships and a number of new understandings of the federal government's role in wildlife management and we're certainly experiencing that here in Alaska. But one of the things that is hardly known around this state is that in, around 1914 there was a Supreme Court case called the Kaibad Case and also later on there was a case in Wisconsin and then later on another case about the wild burros in New Mexico all of which, determined before the Supreme Court, the supremacy of the United States to manage its land. That is called proprietary jurisdiction. There has never been any question of it and to this day, as an aside,

regardless of ANILCA, the federal government had the authority before ANILCA and has it still, to manage on its federal lands! I mean that was long ago established by a Supreme Court case. Some of these weirdos here in this state don't understand that. But also, some of the Fish and Wildlife people don't understand that either.

There was another change in the Fish and Wildlife Service and that was that thinking only of ducks and management of the land for ducks--there was very little ethos about land management itself and there were a few people and I count myself one of them, and I think Dave Spencer was another, who were raised in a different time that didn't look at a wildlife refuge just as the animals that were on it but upon the supporting physical and biological base. I mean, I am not just talking about the habitat in the accepted sense. I am talking about the soils, the geology, the water supply, all of those things and finally Fish and Wildlife. I think the Fish and Wildlife Service is closer to understanding that these are the bases of wildlife management, land management is the basis of wildlife management. I sometimes despair when I listen to some refuge managers or other Fish and Wildlife people that are only wildlife biologists and they do not understand why no wildlife in this area...

Mark: When there used to be a lot of wildlife in that area...now there's none.

Dave: You just ruined my point! I was talking about a chemical, for example up at Red Dog Mine, before Red Dog was ever discovered there was a big biological desert there and there was never any wildlife there--because the silver deposits, the aspects of poison, poisoned the whole countryside.

Anyway, there are a number of things of that...whether it is salt chemistry or whether it is terrain, physiography, there's a number of things that determine wildlife management other than just the birds and the bees. Fire is another one. I started, myself and another fellow, started the Department of Interior--established a school on fire. Fire chemistry, fire physics, those kinds of things are absolutely essential to knowledge if you are going to use fire as a tool to change the habitat and everyone talks about using it but nobody really wants to go study it. That's another story too.

Mark: I was thinking of the Barrier Islands in the Arctic that filled in with natural sediments where it used to be so full of water and birds and then they filled in and they, the birds, weren't there anymore.

Dave: The snow geese you're talking about? Yes, that's another story too.

Mark: They went in...

Dave: We're rattling dear, we're just getting all over the place here.

Liz: That's fine.

Mark: They went in and cleaned out a lot of that stuff and the birds came back. But that's manipulation...

Dave: I was trying to lay a framework, then I got off on a tangent.

Mark: The basis of wildlife management is land management, that is where you started off.

Dave: I hope that is finally, because in the 1960's that was not believed in the Fish and Wildlife Service. It was not. Of course Rachel Carson came along with her stories of what had happened with DDT and so on and showed some of the relationships between agriculture and continent-wide declines of wildlife. Particularly peregrine falcons and other susceptible birds.

I don't know, I'm running out of steam.

Liz: That's fine.

break

Liz: How did you two meet, did you meet here because you [Mark] said you were here during the earthquake?

Dave and Mark: (laughing)

Liz: If that is prying...maybe its none of my business...

Dave: No, it is no prying, we...

Liz: You are from New York?

Dave: From New York State, yes, we met here in Alaska after both of us were divorced. I was at a, we were both at a meeting of the Arctic Institute of North America.

Mark: Jesus Christ!

Dave: In 1971. The Arctic Institute was looking for a role in the pipeline debate. We had gone to that and we both were bored to tears and I invited her out for a cup of coffee and that was my undoing!

Mark: That was mine!

Dave: Our undoing!

Dave: We both had been married 28 years prior to that but we were both divorced.

Liz: And where are you from originally?

Mark: California.

Liz: And how did you end up here?

Mark: I was married to an oil man.

Liz: So you have a unique perspective there.

Mark: Yes.

Liz: Was he involved with the Kenai oil or...

Mark: He was an exploration geologist for Texaco and the Kenai was already discovered. We came in 1958. His work took him all over the state including a lot in the Arctic.

Liz: Did working with him lead to you becoming a conservationist or were you one before?

Mark: No, I've been a conservationist since I was 18.

It was amazing how my husband who was a geologist and in the oil industry actually was not happy about many of the things the oil industry was doing--because he could see that it was damaging. He too was a member of the Sierra Club.

Dave: She was not [just] a lifetime member of the Sierra Club but she was also on the National Board of Directors of the Sierra Club during the ANILCA period.

Mark: I am now a lifetime member of the Sierra Club. When I joined at eighteen, I'd never had the opportunity...

Dave: That was before fire you know.

Mark: Back before dirt! I'd never had the opportunity, because my father died when I was young, to get into the out of doors really. But I'd been fortunate in where I lived which was Tucson, Arizona which was a small town, 35,000 people, and we lived on the outskirts of it and I grew up running around in the desert watching the cactus wrens build their nests in cactus and on and on. When I was going to college there was a mountaineering club and I joined it. My mother was extremely broad minded in that she allowed an eighteen year old girl to go on camping trips with all these other people and we did have a college professor and his wife that were leading it. But I think looking back at those times, that really was not...

Dave: Well she did some of the first ascents on the cliffs in Yosemite.

Mark: I was a rock climber, a skier, a skin diver...anyway I learned to love the out of doors and in working with the Sierra Club I found my interest was always in the land and what was there. When I came here it was all this state was, it was a brand new state. California has the state parks everywhere and I couldn't stand it. I couldn't stand it so my husband and I and another couple started the Alaska chapter in order to have some way to create state parks!

Dave: That was a whole other issue, state parks was something that was not here at all. After statehood the land department of the state Department of Natural Resources was composed of a group of fellows who had fought the feds forever, you know, and so they didn't want any new parks.

Mark: They didn't want any parks at all.

Dave: They wanted economic development period, so there was no parks.

Mark: That is another fight.

Dave: That is another fight.

Mark: But what happened is that the Native Settlement Act was passing and the Sierra Club decided that conservationists should make a pitch for some of the land. The oil company was going to get it and the Natives were going to get it and the state was going to get it. We wanted our share in conservation units. And so we put aside the state parks and went after building a map that would show where, in the state, there were lands suitable for parks, National Parks.

Dave: I've left out everything about Native Land Claims yet, I haven't even got into that.

Mark: But that's what started it.

Dave: And that was probably the biggest involvement of my professional life, not only framing a lot of the Act but writing a lot of the details in Washington. I worked with Scoop [Henry] Jackson on the details.

Mark: As long as I was doing that, I was active and once it was done, I ceased. I had no place else. I found being on the Executive Committee of the chapter very boring and very pointless and very stressful and I found the same with the National Board of the Sierra Club, a waste of my time. I always wanted to be creating something, doing something, and there they just do nothing but talk, talk, talk, and that was not for me. There are plenty of people who like that. So I'm no longer an active. I send the Sierra Club money and other organizations but I don't do anything anymore.

Dave: That's enough.

Mark and Dave Hickok 1-26-98

Interviewer: Liz Williams

Tape 2

Liz: I guess, like we said, we'll go ahead and start with the Native Claims Settlement Act...whenever either one of you is tired just let me know.

Dave: OK, well, we'll talk about Alaska Native Land Claims Settlement and how it came about and what ramifications came out of it...In 1964 there was a meeting in Unalakleet, Alaska with a group of Native activists who wanted to do something to stir up the activities of the Congress on Native land claims. There were about a half a dozen different bills that were circulating in the Congress in 1964 but there was no action on any of them. All of the ones that were pending are listed in the background in *Alaska Natives and the Land*.

In 1964 there was the Alaska earthquake and the result of that earthquake, the federal government created the Federal Field Committee for Development Planning in Alaska and the President's Review Commission for Alaska. In '64-'65, I had just finished a Fish and Wildlife Service, well actually Department of the Interior Civil Service fellowship in the Congress in which I worked for Ed Muskie in the Senate and Al Ullman of Oregon in the House and then went on to write some history of oceanography for the Library of Congress. Following that, I was hired by the Department of Commerce as a Regional Planner. In that context, I was appointed as the Executive Secretary of the Cabinet, Johnson's Cabinet. That was in effect the President's Review Committee on Alaska. The Federal Field Committee's charge was to come up with a long-range economic plan for Alaska and of course the President's Review Commission was to review that.

The Federal Field Committee came up with a number of economic and land-based recommendations for the president through the Cabinet and one of them was, in essence, a statement that said there can be no economic development in Alaska until there is a settlement of the Native land claims. That single statement by Joe FitzGerald was the genesis of a final settlement on Native land claims--even though there had been bills in the Congress. What next happened was that Senator Jackson, who was the head of the Interior Committee in the Senate and Bob Bartlett who was the senator for Alaska, asked Joe FitzGerald to do a background analysis of the Native land claims question in Alaska. It was about that time that I was asked to come to Alaska with the Federal Field Committee leaving the Secretariat of the Review Committee and come up here as Natural Resource Officer for the Federal Field Committee.

We had a number of other issues besides Native land claims before the Federal Field Committee, one was communications in Alaska. At the time of the earthquake, the only communications here, in Alaska, were long-line telephones and some short-wave radio. The solution was better communications and the Federal Field Committee's activities resulted in RCA coming to Alaska and the use of satellite relay for communications. There were some other things: housing in

Bethel, Alaska, a continuing argument over whether or not economic policy in Alaska should stem from land based decisions, Jeffersonian philosophy, or from financial decisions, Hamiltonian type of philosophy. So there was always a constant argument whether or not the federal government should take actions that would develop lands and resources away from Anchorage or whether or not, for example, the oil patch (this was before arctic oil was discovered) or mining on the Seward Peninsula or something, encourage one of those kind of land-based developments or whether or not it should promote the service industry and banking industry here in Anchorage as a hub.

Those kind of arguments were going on, and nothing could really happen because legally the state was tied up; the federal government was tied up and also the state, with land transfers because of Native land claims. So, there had to be some effort made on Native land claims. In 1966, the staff of the Federal Field Committee went to work on the question. There were four or five of us that were involved. It was different spheres of influence and those spheres of influence are reflected in the chapters in *Alaska Natives and the Land*.

Also current at that time, in the 60's, was the belief that there was a failure in federal policy through the Eisenhower years and into the early 60's with regard to Indian people. This involved the current policy at that time was termination of Indian rights, or Native American rights put more bluntly. The termination of the Menominee Indians in Wisconsin and the Klamaths in Oregon-California was in my mind and I thought here that we needed to change from a policy of reservations or nothing, termination being nothing, just pay them off and the people spend the money, and I said there must be some other way. So I developed the thought--that perhaps we could develop a quasi-federal corporation like COMSAT, which was the Communications Satellite Corporation--partly federal and partly private. I said maybe there is some sort of an idea here that we could have a quasi federal Native corporation as the executor of Native land claims settlement.

As that evolved with the staff of the Federal Field Committee, it came out, well hell, why don't we just do corporations period and we came up with a two tiered idea. Initially, village corporations which would get most of the settlement, in the early thinking most of the settlement, and then regional corporations which would relate to all of the villages in their region and help tie things together. There was not, in the early thinking, a big land base for regions...but that came later. There was also consideration later of a third tier of corporate involvement, a statewide Native Corporation which would tie together the regions just as the region had tied together the villages, the statewide would tie together the regions. That fell apart during congressional considerations primarily because of political concern that it would be way too powerful. You can see in context of today that Congress was right, it would have been way too powerful.

Anyway, in 1966, we started to work on the framework of Native land claims and as I said we had a village corporation and a regional corporation and we were trying to figure out what kind of settlement would be...germane in terms of a package of land and money.

Now at this point I've got to go back a little bit because there was a fundamental problem in Alaska with Native land claims that was not extant otherwise in the United States and it was that Justice Marshall in the 1790's had made a decision that the United States must settle with aboriginal Native interests in either the context of war: take their land, treaty: compromise it, or three: compensate the people for the taking. None of those three elements had taken place here in Alaska. There had been no war, there had been no treaties and there yet had been no settlement so there was no compensation. Well, that was the fundamental underpinning that had to be done so as the United States, in effect, worked toward a settlement of Native land claims here they were in effect also consummating a taking. A taking of the land by, through compensation. One can argue that, of course, the taking really took place way before in physical terms but in legal terms, the United States still had not settled so there was this cloud over 99% of the land of Alaska, there was a cloud over it, over who owned it.

Ok, so we worked on the settlement and came up with the framework that is written in *Alaska Natives and the Land* in the last chapter. This framework resulted in the Senate Interior Committee together with some help from the Department of the Interior in drafting services writing a Native land claims act, a whole new act. It wasn't until that act surfaced that the ongoing arguments here in Alaska about Native land claims, of course it had surfaced that the Field Committee was working on it and there were half a dozen bills already before the Congress, and the arguments here in Alaska were essentially whether there should be a settlement or not. The establishment and the governance at that time, the state governance, were all opposed to any settlement. They didn't think that there should be one. They thought that Alaska Statehood had given the options to the state and that Native interests did not transcend state interests.

When the first bill was written from the Federal Field Committee and offered by Senator Jackson in the Senate, the argument became not whether or not there should be a settlement but how much. How much should we settle for, how much money, how much land. Basically, that thrust lasted for three years in the Congress through evolution of the bills and a compromise.

Now, where the Fish and Wildlife Service and other agencies come into this is that in the Senate version of the bill, there was a statement basically that said the Secretaries of Interior and Agriculture shall, within a period of three years, I think it was three, report back to the Congress on lands suitable for designation as National Wildlife Refuges, National Parks, National Forests, and Wild and Scenic Rivers. I think that was in there, the last...That existed through two turnovers of the Federal Field Committee approach in the Senate. But it wasn't until discussion in the House of Representatives that there was an effort to make that more finite and at this point I think I'll turn to Mark and let her tell you a little bit about how she got into this act with the conservation people and the designation of the 80 million acres. I'll tell you where the 80 million acres number came from later but go ahead...from the Wilderness Conference...

Mark: Right, there was a Wilderness Conference in Washington D.C. where all the conservation organizations went and they discussed...

Dave: The year, tell her the year, 1971.

Mark: Was it?

Dave: Early fall of '71? Because then the bill was finally settled in December of '71.

Mark: Right, the conservationists were various organizations and they agreed that if the Natives were going to get land, and the state was going to get land, that the conservation units should get land. I think I told you this on the last tape, didn't I?

Liz: You mentioned it briefly.

Mark: Well that's all it needs. We were late into the game. We were late into the game *nationally*. But here in Alaska, we had already made that decision. The Alaska conservationists had already made the decision that we had to work for National Parks, Wildlife Refuges, fight the Forest Service. In addition, Jack Hession, the Sierra Club's official representative in Alaska But the Sierra Club is who threw the Wild and Scenic Rivers into *our* plate. We don't want to forget Wild and Scenic Rivers. We actually knew nothing about what was in the bill. We were working from our own viewpoint and Joe FitzGerald came to talk to us early and that is what set us to work. So, *he* knew what was in the bill, he didn't tell us, but he fed us enough information that it set a fire, and we were on fire to do this. And so there were five of us to start with, all from Anchorage, just five of us. And, by the time we had finished, there were, we counted one time, the people who had participated in the collection of information, over 200 people, *all* Alaskan.

Dave: That's important, what they were doing I don't think you have succinctly said, what they were doing was gathering information on the best lands for parks and refuges and other reservations that should be considered by the Secretaries of Interior and Agriculture and that these lands were portrayed on maps in some detail and also in justification statements that various people from the 200 people across Alaska wrote. These 200 people were many from the agencies involved.

Liz: They wrote anonymously?

Dave: Which was not too happy...

Mark: Yes, or they would have been fired.

Dave: They would have been fired at the time. Anyway...

Mark: But there was more than that, this is all conservation land we're talking about, this is *public* land but it's limited in its use so you wouldn't expect anybody in the timber industry to assist and yet the president of a small timbering outfit, Hugh Gellar...

Dave: I wouldn't mention any names.

Mark: Well, I'm proud of the people who were on...I don't think he is even alive.

Dave: Yes he is, he lives right up on the hillside.

Liz: It's not over yet is it?

Mark: He made it possible for us to survey an area. Survey means we went and looked at it and evaluated it for ourselves and he actually gave us information on forested land that would be suitable for a park--Kachemak Bay State Park and Wilderness Area. And, he sent his forester down to Juneau to testify during the state park battle, that's a state park. But he also gave us information later then...

Dave: Mark, you are getting way into the details and you are losing the story.

Mark: No, I am going back to the story. There were pilots who flew everywhere who saw things nobody else did.

Liz: That's what I was wondering, how you knew...

Dave: Of course the professionals had been all over the state anyway who were part of this.

Mark: They came up with some things the professionals missed.

Dave: Oh yes.

Mark: The *fishermen* gave us information. The commercial fishermen and the sport fishermen...the miners, of all people, they had areas that they didn't want to see wrecked, they probably had no minerals, areas they thought were of such uniqueness that they should be saved. Anyway those were the two hundred people.

On this map, and everyone of them did this and sent them in, we made up what we called the matrix and they answered the questions on it and then there was space for them to add their own information that wasn't listed on it. When they were finished then the "Maps on the Floor Society" began. Before they finished we began and there just weren't enough tables for maps because we were mapping the entire state. There were maps *all over*.

Liz: That's amazing. I love that name.

Mark: When it was finished, all these people who worked for the National Parks, National Wildlife, Forest Service, Mines, were all involved but they couldn't sign the matrix, they couldn't sign their information so they got other people to do it, sign their names.

Dave: Mark you are getting ahead of the story here. The problem is, in the fall of 1970, there had, as I mentioned before, there had been two versions on the Senate side and the House was in this dialogue. What had happened was, there had been no involvement on a national scene with conservationists and that is where you should really be picking up the story.

Mark: So we went to Washington D.C. with this stuff and it was bought. And every conservationist went back to their part of the country and started fighting, contacting their congressmen and senators to understand what this bill could also mean to the conservation units of the future. Is that what you want David? I guess you better tell this story.

Dave: No, I think that part is important but the real issue here, the real issue here was that you personally had stood up in the Wilderness Conference and had brought to the attention of those assembled their lack of involvement with this large issue in Alaska. As a result of that...

Mark: Impassioned plea.

Dave: Plea...Several things took place but in the end result the House got involved and at that time, the chairman of the House Committee was Wayne Aspinall of Colorado and he was not particularly...

Mark: He was not interested.

Dave: ...interested in Native land claims settlement at all or any other activity that disturbed his just completed Public Land Law Review Commission Activities. Mo Udall, Stuart Udall's brother, Stuart Udall was Secretary of the Interior and Mo Udall was the number two Democrat under Aspinall in the House Committee. Mo Udall got interested and there were various amendments to the bill before the House which was the Senate bill transferred over there and those involved an amendment for land use planning, an amendment for this that and the other thing.

One of them, Mo Udall got interested in was to make more specific the statement in the section in the Senate version asking for a study by the Secretaries of Interior and Agriculture for refuges, parks, etc. He decided he wanted to put a number in the legislation and actually withdraw the lands for study not just have a nebulous study by the Secretaries. I came into this somewhat directly. I was working for Senator Jackson on the Senate side on detail here from Alaska. As a matter of fact I was, expenses were paid, but I was a University employee at that time. There was no other money that came to us except to pay my expenses but I was back there because of the earlier history with the Federal Field Committee and helping out Jackson and his counsel, Bill VanNess, who was really the guiding light behind Native land claims in the Senate. Anyway, I was asked one day by my friend Harry Crandell who was working for the Wilderness Society to come with him to a meeting in Mo Udall's office about dedicating lands for parks and refuges etc. I was asked to come as some kind of an authoritative witness. So, I came over there with Harry and there were a number of people, Brandborg of the Wilderness Society and the Audubon and various other and I was kind of a odd man out in the middle of this thing. Mo

Udall, who I'd known from previous activities when I had the fellowship in Congress said Dave, "What the hell are you doing here?" And I said, "Well, I suppose I'm some kind of expert witness." Then the discussion started and he said we really should put some number, some acreage number for withdrawal in this legislation. At that time, he turned to Brandborg of the Wilderness Society and he said, "Brandy, how many acres should we have?" Brandborg said, oh what is his name?

Mark: Ed Wayburn of the Sierra Club.

Dave: [Brandborg said] "Ed Wayburn of the Sierra Club says we should have 150 million acres." Brandborg went on at some length about this and Mo Udall turned to me and he said, "Dave, how many acres should there be?" And I said, "Well...I think there are 36 and a half million acres of what I would call crown jewels." Everybody went up in smoke and everybody got talking and Udall says, "Well, how many acres do you think we should have?" So it went 60, 90, like an auction. Well, let's have 80 million acres--and that's how the eighty million acres was decided. There was no rationality whatsoever to it other than an auction between 150 and 36 and a half. That's a little vignette on how the democratic process works. At that point, then the conservation community really stepped into working on the amendments and back here in Alaska working feverishly to get their maps and justifications written.

Mark: Finished.

Dave: Finished. Then finally about December '71 the bill, a bill passed the Congress. That's when Mark and the others came back in the action again finishing up their maps and giving their maps to a fellow named Walt Parker who was then a highway/transportation commissioner for the State of Alaska and who was going back to Washington anyway. He took the maps that these guys had prepared and physically took them to Secretary Morton.

Mark: We were afraid that if we mailed them, they'd never get to him, that he'd never see them and we had already spent thousands of dollars putting this stuff together. All the different kinds of things we had to do, it was very expensive for us because there was a lot of travel to some places by airplanes, hired airplanes and such. And, we were all spending out of our pockets. So, when Walt was going there and he would be able to see Morton personally, we gave them to him and he delivered them into Morton's hands. Walt had been working as part of the group so he knew what was in there. It was the most complete in both mapping and written material that Morton had to draw on. He had *nothing* else.

Dave: He had an obligation that by March of 1972...after the passage of the Act in December of '71, he had to make these withdrawals, the law said that. Well, he had nothing to go on! So, these were delivered, the agencies had been asked to do things...

Mark: During the Wilderness Conference when I got up with my impassioned plea, when I said these must be withdrawn lands. They said, "But, it can't be done, we need Congress." And I said, "The Secretary has the power to withdraw land." "Oh!"

Dave: Anyway, that was the force behind this thing and the fact that there was a deadline on Morton and that the agencies had not provided him with anything...

Mark: They dragged their feet!

Liz: Why?

Mark: They didn't *want* anymore!

Dave: They *did not* want to, and I say this with considerable authority I think, the BLM and the Forest Service didn't want to lose any acreage from their domain. The Park Service would like to have some but they were afraid to take action boldly by themselves...do you think?

Mark: And Fish and Wildlife didn't want *anything*!

Dave: Didn't want anything because basically they were still stuck in the limbo of ducks only, waterfowl only...

Mark: And the land we were offering on our maps was moose land, bear land, caribou land, every-anything besides ducks!

Dave: There were some waterfowl areas and some...of that kind and there were some, of course, many migratory bird areas, but they weren't ducks and geese or swans. And so, for example, the Kenai Fjords is a good example or the Maritime Refuges which is around...hell, the Fish and Wildlife Service was interested in first class habitat in the waterfowl areas.

Mark: I left out marine mammals.

Dave: And sea mammals was another one, anyway, by this time, no, it was later, that was later, the Marine Mammal Act came later but anyway, in the course of the...Alaska Native Land Claims Act there were a couple of other provisions which affected refuges other than land selection per se and that was that the Natives, of course, in some cases, could select lands within the wildlife refuges or within the forests or wherever because they had, it was authorized to do that.

One of the issues that Alaska individuals did affect was that lands selected by the Native corporations within wildlife refuges would be subject to the surface management rules of the Fish and Wildlife Service for that refuge. That was not in the original legislation but was engendered by some pressure from Alaska individuals. So that was added, the other major effect came as the Alaska Native Land Claims had rolled through the fall of 1971, trying to marry the House and the Senate versions that the regional corporations came to be getting originally 10 million acres then later 20 million acres, then, that is the whole collective thing that is the village corporations plus regional corporations were to get 10 million acres in the early Field Committee legislation then 20 million in later evolution of the House and the Senate versions together but

still in consideration and then the big issue of the Alaska pipeline came into play.

Oil had been discovered in Prudhoe Bay, about the middle of this process. The process of Native Land Claims had started in '66 and culminated in '68 with a report to the Congress and the first legislation was '68, in the spring of '68 and it wasn't until the fall of 1968 that Prudhoe Bay was really discovered and when everybody got all upset. Then they wanted to get the oil out of the Arctic and there's a whole bunch of other stories and involvement with that but nevertheless, the context I am trying to get at here is that in the late fall of '71 when the nexus of the Land Claims was pretty well established the question again became, how much? The Natives wanted more and the oil industry didn't want anybody in their way so there was a fellow named Don Wright who was the head of the Fairbanks Native group and he had latched on to a fellow named Adrian Parmeter who was...a friend of those in the Nixon White House. Adrian Parmeter together with the oil industry brokered a deal to double the acreage to 40 million acres for the Natives in order to get a quick settlement so the oil could proceed. But it is very important to understand that the Native Land Claims would have been passed *anyway* without oil discovery in Alaska. A lot of people don't think that but it would have been passed and it was poised to pass but the amount of acreage would have been only half of what it was, finally.

Liz: Oil kind of helped in a way.

Dave: Oil doubled the acreage, there is no question about it. But it was not the decider of whether or not. That's the important point I think. There are many, many other aspects of Native Land Claims in details of various provisions but in essence, the land selection for the Fish and Wildlife Service, which, in large measure was thrust upon them, rather than being involved with early on, and the question of management on Native selected lands within the refuges I think were the two essential points involving the Fish and Wildlife Service. So that's the story of Native Land Claims vis-a-vis the Fish and Wildlife Service anyway.

Liz: I am not clear about the Native land claims on refuge lands were those... (tape stops)

Dave: Within Native withdrawal areas, ability to select so many acres and ... for example at the village of Kaktovik, which is Barter Island, in the middle of the Arctic National, on the edge of the Arctic National Wildlife Range, they were able to select three townships of land within the exterior boundaries of the refuge. Now what they got there was a certain selection for the village and I'm not up in my memory on how many acres what village got...(*Hickok tape change*)...My memory is not up to how many acres each village got anymore, there was a formula for this in the bill and how much the regions could select in various places. In any event, the regions got the subsurface rights...where there was a village selection, now my memory is coming back a little bit, I think Kaktovik got three townships as a village selection and the region got the subsurface rights to that.

Later I think there was a, if my memory is right, there was a fourth township by land exchange but what really is germane here now in the current context is that in the Kaktovik case, is that the acreage that the village selected and that the region has subsurface rights on has been drilled

for oil and oil has been discovered. Of course that is part of the whole argument that has gone back and forth around the state and into the Congress over opening the Arctic Refuge is that the Natives have hit oil right close to Barter Island and everybody wants to get...that is the development interests, the oil interests, and the Native interests, they want to get it out and get their money and of course the Congress and the conservation interests are saying "No!"

Ironically, going back in time, I think I told you the other day, I wrote the public land order for the Arctic National Wildlife Range at that time when I was in Washington. In that document, the Arctic Refuge was open to oil and gas exploration and development and still is to this day by authority but is not opened because of, what is the right word I want, a number of secretariat and congressional decisions that have just put the decision off to the future. But sooner or later it's going to come bubbling up as another issue involving Native Land Claims and the Fish and Wildlife Service, well in fact it is an issue right now.

Tape break Liz: *(not on tape) Why was d-2 part of ANSCA?*

Mark: He likes that.

Liz: Well that's good. Because when I was reading this, it seems like in the beginning Natives were somewhat, they didn't want that with it and later they did like it...

Dave: The question of how the interests of land for conservation purposes got into the Native Land Claims Act itself has an early version that precedes what we just talked about with the 80 million acres aspect and that was, that in the Senate version, for the first two years, no year and a half, whatever, of its activity, under hearings and discussion, it was not in there and it was when there got to be some initial stirrings here in Alaska among these floor on the society thing or whatever the hell they called it and some churnings nationally with a very few people before this wilderness conference opened up things. I was sitting there in the Senate committee room with Bill VanNess who was the Chief Counsel for Senator Jackson and he said, it was his idea initially, he said, "Don't you think we ought to do something for other land interests here?" "Well," I said, "Yeah, ok why don't we put in this study provision for parks and refuges on other land." Because the background of that was that the State of Alaska, with its land selection, was dominating the dialogue everywhere. They were not making their selections so I said to myself, "Well, screw them, let's put in here for a selection of study areas." I mean, it was a very weak presentation but it was enough to get it started so that there would be these, within three years, all the other areas of public lands in Alaska would be studied for parks and refuges and forests etc. *That's* how it got in there. Then it went on to the House side and the d-2, d-2 was 17 (d)(2) was the designation in the final House bill which was adopted by the conference committee so that's where the d-2 came from.

Liz: Was I correct, did I put it at the right time that Natives sometimes didn't want it in there?

Dave: I don't recall, at all, any overt testimony by the Natives against the d-2 after it was d-2 or before certainly not when it was in the Senate, with the study provision. There might have

been some stirrings but I recall no direct antipathy to it. There was, as a matter of fact, a proposition, a proposal, by the Natives to create a joint Native National Park in the Brooks Range.

Mark: They proposed it.

Dave: Called the Nunamuit...

Mark: Now it is Gates of the Arctic

Dave: Anyway so there was not opposition totally because very pragmatically there would have been the opportunity for them to, under an agreement, to utilize the land for subsistence purposes. There was another angle to the various discussions here and that has to do with the subsistence argument. Subsistence was first written by myself in the Senate version and it had to do with the classification, land use classification of federal lands around villages and whether or not, because there was in the mid 60's all this discussion about mines, development, so on. So the classification was for that, this land for subsistence purposes and this land maybe to develop a mine etc. So it was a land use classification proposal and it was based on a number of factors not the least of which was that under our analysis in the Federal Field Committee we had determined that 60 million acres were used currently in the mid-60's by Native people, village people, for subsistence purposes. The Native Land Claims Act as it was going along was saying 10 million, 20 million, even when it got to 40 million, it was less than what they were using in subsistence so we thought that there should be some kind of a priority for subsistence use over developmental purposes.

There was no interest whatsoever in having federal jurisdiction in terms of writing the laws or regulations for that subsistence because that was being adequately handled by the state at the time and still could be. When the Native Land Claims got to the 40 million, by the injection of the politics, then the Natives were asked if they wouldn't mind dropping the subsistence classification and they didn't object to it, they didn't agree to it but they didn't object to it. So that was dropped in the conference report in the final conference bill but if you read the conference report, it says right there the Secretary, the Congress intends that even though there isn't a subsistence section in here, the Congress intends that the Secretary shall classify these lands for subsistence purposes. What happened next was, over the next decade, I guess, before '82 before ANILCA was passed, for the next decade, the various Secretaries of the Interior did not classify federal lands for subsistence as the conference report requested them to do. So then,

Mark: Our great senator...

Dave: Harry Crandell in the House again with Mo Udall and...they put the Title VIII in ANILCA and then finally as it went from the House to the Senate as she started to say, our Senator here relying on the recommendations of a very new Republican staff in the Senate, by '82 you see the Democrats had lost the Senate, so there was a new staff there and so they rewrote the Title VIII and they are the ones that stuck in this phrase about the Constitution which

was not in the House version. So that's how it got screwed up.

Liz: So we have them to thank.

Mark: (laughs)

Dave: Interesting little bends in the river and what puts people on the log jam, you know or something...

Mark: There is another interesting thing, the conservationists, the *Alaska* conservationists, decided when the maps came out showing where Natives were to select they could select, I mean they had many, many more acres than they could select and they could select *thousands* of acres, what they wanted. We changed the maps--talking to Morton about it--so that those areas that the Natives would select in one of the National Interest Areas, we would not oppose. When they selected they didn't necessarily get it, but if they got it, we would not oppose them. From the beginning of their selections to when their selections were finalized, we would not...

Dave: The Alaska conservationists, not necessarily the national ones.

Mark: As I said, the Alaskan...We went to a national conservation meeting and *fought* a big battle with the other conservationists over that. But, we did say this, if that land falls out of their selections then we'll fight like hell for it to be put back into the conservation units.

Dave: There were lots of lands that were what they called deficiency, Native deficiency lands for their selection which were also interested in to, for conservation purposes and as it turned out lots of those lands were not selected and then therefore they could be and ultimately were picked up in conservation but you see, it wasn't until *after* ANILCA passed. Well, no that's not true there were studies going on from...

Mark: Umhum, about halfhearted.

Dave: Halfhearted studies going on before ANILCA passed based on secretarial orders to determine new interest lands. So there were a number of parks and refuge studies for new interest lands prior to the passage of ANILCA but it wasn't until after ANILCA that they really got serious about it and then of course finally went on to make definitive recommendations.

Mark: They imported Park people and Fish and Wildlife people and Wild and Scenic Rivers *and* Forest Service people into study groups here from all over the United States. *These* people were the ones who were studying the proposals, the rest of the outfits, agencies' people went ahead with whatever it was they were supposed to be doing. And I had a lot of fun with the Forest Service.

Liz: Yes, I can imagine, being Department of Agriculture.

Mark: (laughs)

Liz: Were there some problems, I don't know...you may have already addressed this, but some conservationists who didn't want subsistence to go on the conservation units that you were working on. Were those outside conservationists?

Mark: Originally they were outside, we now have in conservation in Alaska a whole new generation who knew nothing of the history of it and so they are fighting any kind of hunting uses in various, well, let's see, in McKinley, Denali there's an area I think in the southern tier...

Liz: The preserve part?

Mark: That they can hunt in. There is a portion of Gates of the Arctic they can hunt in, there's the Wrangells and I don't know what other parks--but there are other and in the refuges, there are places that...

Dave: Well the refuges for the most part are open for hunting and fishing...

Liz: But for the subsistence, how did you convince those conservationists who were against that going on or...

Mark: It was a matter of honor.

Liz: Yes.

Mark: They finally backed off because we had promised.

Liz: Yes, I think I read about that in the Strickland write up.
Well, lets see, I was just kind of curious on the Maps on the Floor Society questionnaire, do you remember what the questions were or was it, I mean its just so hard, not the specific questions, but mostly did they just describe the areas?

Mark: Yes, they would identify its location so that you could find it on a map, I mean it was precise and then it would describe the terrain, and the water sources and the vegetation and the habitat and the wildlife--anything that might be...it also was to describe mining potential...

Dave: The minerals and the conflicts.

Mark: Right, and then there were the conflicts, some of it was heavily forested, I mean it tried to be an early EIS that's what it really was, it was really an EIS.

Liz: That was very comprehensive and you did it fast, did you drink 12 gallons of coffee?

Mark: (laughing) The wonderful thing is...

Dave: She had a little apartment and there were half a dozen, eight men and women all over the damn floor!

Liz: And trying to draw boundaries around these places without the state having been completely surveyed...

Dave: Oh no, well we used USGS topographic maps, the state had been surveyed in the context of there was a topographic map and there was a township range delineation for the State of Alaska so it could be done, now the only thing that wasn't surveyed you couldn't always locate a particular corner of a township and range right where you thought it was and still can't today for that matter...

Mark: Anyway, some of them were three or four pages, it had to be brief...and some of them were one page, that's because they would be so difficult to get to and *even* with all of that...we missed some spots.

Liz: Oh gosh, that's what I was going to ask you, were there some jewels that got away from you?

Mark: We missed some spots, fortunately, they are out in the Aleutians and mostly they are in refuges.

Liz: Oh, then they didn't get completely...

Dave: Well, there were other things that were added that you didn't think about, the marine...

Mark: Right, well, we were driven to the wall trying to come up with 80 million acres...

Dave: But basically your whole thoughts centered on *land.*

Mark: Yes.

Dave: Now there were the Kenai Fjords and the Alaska Maritime Refuge and all of that kind of thing which were brought in by the agencies.

Mark: No, no! The Kenai Fjords was not brought in by the agencies!

Dave: Who did...I'm talking about the Maritime, the Alaska Maritime...

Mark: Down there out of Seward, that area, that was...

Dave: That's the Kenai Fjords.

Mark: Right, and that was a conservationist whose name I can't recall.

Dave: Yes, I know that.

Mark: Ok.

Dave: But then added to it was this Alaska Maritime Refuge that was...

Mark: Well it was great that the agency had enough interest to come up with that (laughing)...that's not nice.

Dave: Right.

Liz: Before that, and I know you don't want to get on the State Parks fight at *this* time, but did you switch from state to national because of the attitude of development of the state at the time...

Mark: No!, I switched because the potential for national parks was just too big a piece of cake to let it slide, we knew we could go back to the state parks--and a lot of state parks came in afterwards, yes.

Dave: You did.

Mark: But when this finished, I was worn out, I never went back to anything, I was just too tired, that was it! How many years was that?

Liz: I can't believe you raised children and did that.

Mark: And we founded the chapter in order to do the parks that's why we founded the Sierra Club chapter.

Dave: To do the State Parks.

Mark: To do the State Parks.

Liz: So you already had that organization and you could just go right to...

Mark: We'd just move right along, the chapter almost collapsed because everybody was working on national parks, they didn't have time to worry about the business of a chapter of the Sierra Club.

Liz: And you were involved in those other organizations, the Coalition, the council?

Mark: Right. Anyway, it took another woman to take hold of the chapter and save it, so it is still here.

Liz: That's good.

Mark: She managed to gather up the people who, see everybody who was involved at the time that this started they were gone into the major--so that left who. She had to go out and pull people in out of the, that had not already been involved, and she built a good strong chapter, a good strong chapter.

Liz: Well, I wanted to ask you too, when I looked at *Alaska Natives and the Land* I guess the guy asked for it in March and you had it ready in October, I mean the publication itself, I guess, had you started working on it before---that's like a bible...

Dave: No, it was produced in nine months and it weighed 7 pounds

Liz: How, how did you do that?

Mark: (laughing) The birth pangs were terrible!

Dave: One of the things, I was in charge of putting the book together as well as writing my parts, I arranged for all the graphics and maps and the actual publication. Well, we went, Jackson in the...Jesus, it would have been the winter of '67, '68 asked for a draft and we had a draft so we took it back just a xeroxed thing and he says "Well, I need this published right away." Well, Jesus! what we were going to do was paginate it and make each of the, if you notice the publication, it is two xeroxed pages wide, that's in order to get the maps in but we had intended publish the damn thing with a printer, not put it out by instant print but they wanted it too fast and so we just plain made the print copy ready without--just every page was as typed and maps were added and graphics were added and just took it to the government printing office and printed it just like that. I mean, so it was very rapid.

Liz: Each community, each area, you have a very detailed subsistence annual cycle.

Dave: Well that took a lot of research and I did that from the fall of 1966 to '67.

Liz: Was it from books or did you go out there?

Dave: Yes, they're all there, there are citations all over the place there.

Liz: But I've looked at some of those same books too and they don't always have it *that*, you know, detailed...

Dave: Those are the books that I used. The other thing I used was, I mentioned in there in the beginning, there were four or five young Natives from different parts of the state that I used to communicate with older, elders, so I had pathways to elders and picked up a lot from them, but basically it was the existing literature. I mean there was, you know, Barter Island for example, Norman Chance, and oh God, you know all of them Nelson...

Liz: Hughes, St. Lawrence Island... this was detailed, really detailed.

Dave: It took a lot of reading on my part, and finding all those old places, now that was an interesting thing, I went back to the old, early censuses, that was the Petroff censuses, is that, is my memory right?

Liz: Uh huh.

Dave: Petroff and then there were V------, had some, somebody like that, began with a V anyway, had some references to old places and then there were books, Dorothy Jean Ray, particularly in the Seward Peninsula area and others that had written down a lot, then the actual U.S. censuses, particularly from the 1900's, hell, a lot of these places disappeared in 1920 and they are still disappearing or would if it wasn't for the physical/legal cognizance of land. There was not too long ago a land slide, I've forgotten now what village it was...which would have, 50 or 100 years ago prompted that village to just plain move and then floods and various, these villages moved all the time.

Liz: It's a comprehensive work and the thing that struck me about it is that some of it could almost be written today.

Dave: That's right! As a matter of fact outside of the health conditions in the villages you're talking about current anthropology, the health conditions have been the main change. When we wrote that in '66 '67, I think it was, you know, Alaska males weren't living much beyond 40 years old, now there's not much difference.

Liz: Ear infections are still there.

Dave: Yes, otitis media is still there and...

Mark: Tuberculosis is back

Dave: Tuberculosis is *back*, when we wrote that it was under the assumption that tuberculosis was licked. There was a team of doctors here, Dr. Martha and Dr. Joe Wilson, Public Health Service, that pretty well killed it but now it is back up, as it is all around the world but it is back here.

Liz: And the blended economy too, that was such an important point to make...

Dave: That's the interesting thing about Joe FitzGerald and the Native Land Claims, going back to what I said about his statement to the president, in his report to the president in 1965 that there can be no economic progress in Alaska without the settlement of Native Land Claims, that was said in full cognizance of the fact that the Natives sooner or later are going to have to integrate their economic interests with the broader society. He did not ever say that they had to integrate their cultural interests but felt that they could not survive in any fashion without the

integration of their economic interests. And that's what's happened, and that really was one of the main thrusts behind the Native Land Claims Act, was to give them the economic...

Mark: Choices.

Dave: Foundation to make choices for themselves. Out of that dozen regional corporations in the state it is very interesting how one or three or four made it very well, a couple were just average, and a couple went (raspberries). You know, I don't know how the (raspberries) is going to come out on the recorder but...

Liz: Well speaking of the recorder, have you had enough for today?

Dave: Yes...